

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

HAWAII CARPENTERS TRUST	)	CIVIL NO. 04-00667 SOM BMK
FUNDS, ( <i>Health &amp; Welfare Fund</i>	)	
by its trustees Albert Hamamoto,	)	DECLARATION OF DAVID J.
Audrey Hidano, Henry Iida, Glen	)	MINKIN; EXHIBIT "1"
Kaneshige, etc., et al.,	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	
H N J 2, INC., dba ELIMA	)	
ENGINEERING, a Hawaii	)	
corporation; JOHN DOES 1-100;	)	
JANE DOES 1-100; DOE	)	
CORPORATIONS 1-100; DOE	)	
PARTNERSHIPS 1-100; DOE	)	
ENTITIES 1-100; DOE	)	
GOVERNMENTAL UNITS 1-100,	)	
	)	
Defendants.	)	
	)	
and	)	
	)	
BANK OF HAWAII, a Hawaii	)	
corporation, FIRST HAWAIIAN	)	
BANK, a Hawaii corporation,	)	
AMERICAN SAVINGS BANK, a	)	
Hawaii corporation, CENTRAL	)	
PACIFIC BANK, a Hawaii	)	
corporation, and HAWAII	)	
NATIONAL BANCSHARES, INC.,	)	
dba HAWAII NATIONAL BANK, a	)	
Hawaii corporation,	)	
	)	
Garnishees.	)	
	)	

---

DECLARATION OF DAVID J. MINKIN

David J. Minkin, hereby declares under penalty of perjury as follows:

1) I am the attorney for Plaintiffs herein and as such, I have knowledge of the facts hereinafter set forth.

2) On June 30, 2005, Judgment was entered in this proceeding in favor of Plaintiffs against Defendant H N J 2, INC., dba ELIMA ENGINEERING in the sum of \$44,003.78, inclusive of liquidated damages with additional per diem interest of \$11.41 from November 1, 2004, until satisfaction of judgment, and attorneys' fees in the amount of \$3,016.99, and costs in the amount of \$339.09 to date, with an additional amount of attorneys' fees totaling \$415.00, plus general excise tax of \$17.29 for the drafting of the motion for default, attendance at the hearing for the motion for default, and finalization of the order and judgment thereafter from the Defendant, without prejudice to the Trust Funds to seek other and further damages from the Defendant arising from unaudited hours worked by Defendant's employees both before and after November 15, 2003. Attached hereto as Exhibit "1" is a true and correct copy of said Judgment.

3) The Judgment has not been discharged, appealed from, reversed, modified, vacated, set aside or satisfied, and this matter has not been stayed or appealed, and there is still due and owing as of this date, the judgment amount of \$44,003.78, inclusive of liquidated damages and per diem interest through January 30, 2004 with additional per diem interest of \$11.41 until satisfaction of judgment, and attorneys' fees in the amount of \$3,016.99, and costs in the amount of \$339.09 to date, with an additional amount of attorneys' fees totaling \$415.00, plus general excise tax of \$17.29 for the drafting of the motion for default, attendance at the hearing for the motion for default, and finalization of the order and judgment thereafter from the Defendant, without prejudice to the Trust Funds to seek other and further damages from the Defendant arising from unaudited hours worked by Defendant's employees both before and after November 15, 2003

4) Plaintiffs are still the owners of said Judgment.

5) Plaintiffs have moved this court to issue a Garnishee Summons directed to BANK OF HAWAII, FIRST HAWAIIAN BANK, AMERICAN SAVINGS BANK, CENTRAL PACIFIC BANK, and HAWAII

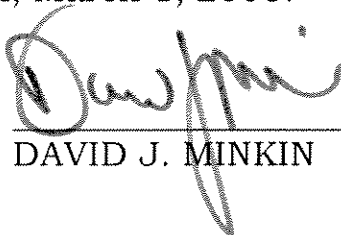
NATIONAL BANCSHARES, INC., dba HAWAII NATIONAL BANK, all Hawaii corporations.

6) I am informed and believe that Garnishees BANK OF HAWAII, FIRST HAWAIIAN BANK, AMERICAN SAVINGS BANK, CENTRAL PACIFIC BANK, and HAWAII NATIONAL BANCSHARES, INC., dba HAWAII NATIONAL BANK, are holding, are in receipt of, or will receive and be in possession of goods and effects, funds, salary, stipends, commission, or wages belonging and owing to Defendant, H N J 2, INC., dba ELIMA ENGINEERING.

7) I am informed and believe that the goods and effects and/or funds sought to be garnished from BANK OF HAWAII, FIRST HAWAIIAN BANK, AMERICAN SAVINGS BANK, CENTRAL PACIFIC BANK, and HAWAII NATIONAL BANCSHARES, INC., dba HAWAII NATIONAL BANK are not traceable to AFDC grants or Social Security benefits.

I declare under penalty or perjury that the foregoing is true and correct.

DATED: Honolulu, Hawaii, March 1, 2006.



---

DAVID J. MINKIN